

1 THE HONORABLE JAMES L. ROBART

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MICROSOFT CORPORATION,

Plaintiff,

vs.

MOTOROLA, INC., *et al.*,

Defendants.

FILED  
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SEP 06 2013

CLEARK AT SEATTLE  
WESTERN DISTRICT OF WASHINGTON  
COURT DEPUTY

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

SEATTLE DIVISION

Case No. C10-1823-JLR

**[PROPOSED] ORDER GRANTING  
NON-PARTY QUALCOMM INC.'S  
RENEWED MOTION TO SEAL**

NOTE ON MOTION CALENDAR:  
Friday, September 6, 2013

Without Oral Argument



10-CV-01823-BCST

[PROPOSED] ORDER RE NON-PARTY  
QUALCOMM INC.'S RENEWED  
MOTION TO SEAL  
CASE No. 10-cv-1823-JLR

COOLEY LLP  
1700 SEVENTH AVENUE SUITE 1900  
SEATTLE, WA 98101-1355  
(206) 452-8700

1        This matter having come before the Court on Non-Party Qualcomm Incorporated's  
2 ("Qualcomm") Renewed Motion to Seal, and the Court having considered the motion papers and  
3 the records on file herein, the Court hereby ORDERS that Qualcomm's Renewed Motion to Seal  
4 is GRANTED as follows:

5            1. Pursuant to Local Rule CR 5(g), Qualcomm has established that compelling  
6 reasons exist for sealing the following documents:

7                a. an Amendment to DS-CDMA Technology Agreement between Motorola  
8 and Qualcomm, labeled MOTM\_WASH1823\_0025409-412 and **Defendants' Trial Exhibit**  
9 **3230**, and designated "Confidential Business Information" and "Attorneys' Eyes Only";

10              b. an Agreement to Amend the Patent License Agreement and Technology  
11 License Agreement and Software License Agreement between Motorola and Qualcomm, labeled  
12 MOTM\_WASH1823\_0025413-430 and **Defendants' Trial Exhibit 3231**, and designated  
13 "Confidential Business Information" and "Attorneys' Eyes Only";

14              c. a DS-CDMA Technology Agreement between Qualcomm and Motorola,  
15 labeled MOTM\_WASH1823\_0025431-467 and **Defendants' Trial Exhibit 3232**, and  
16 designated "Confidential Business Information" and "Attorneys' Eyes Only"; and

17              d. a Patent License Agreement between Motorola and Qualcomm, labeled  
18 MOTM\_WASH1823\_0025489-502 and **Defendants' Trial Exhibit 3233**, and designated  
19 "Confidential Business Information" and "Attorneys' Eyes Only."

20            2. These documents are confidential and contain trade secret information.  
21 Qualcomm has done nothing to put that information at issue in this case where it is not a party.  
22 These documents and any other materials containing trade secret information derived from these  
23 documents shall be sealed.

24            3. The courtroom is to be cleared and closed when argument on this topic, testimony  
25 on this topic, or these exhibits are discussed.

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1       4. If additional documents from Qualcomm are intended to be offered into evidence,  
2 the parties are to notify Qualcomm immediately so that it can seek to seal or redact confidential  
3 and trade secret information before the documents are offered into evidence.

DATED this 6<sup>th</sup> day of August, 2013.

HON. JAMES L. ROBART  
United States District Judge

[PROPOSED] ORDER RE NON-PARTY  
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1 Presented by:

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10 Attorneys for Non-Party QUALCOMM, INC.  
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[PROPOSED] ORDER RE NON-PARTY  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 26, 2013, I caused to be electronically filed the foregoing [Proposed] Order Re Non-Party Qualcomm Incorporated's Renewed Motion to Seal with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all registered parties and non-parties in this action.

/s/Christopher B. Durbin

Christopher B. Durbin

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**CERTIFICATE OF SERVICE  
CASE No. 10-cv-1823-JLR**

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